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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER OF
WASHINGTON MUTUAL BANK,

Plaintiff,

v.

NEVADA TITLE COMPANY, a Nevada
corporation,

Defendants.

CASE NO: 2:14-cv-01567-GMN-GWF

STIPULATION AND ~~Proposed~~ ORDER
TO: (1) CONTINUE THE MANDATORY
SETTLEMENT CONFERENCE; AND (2)
CONTINUE THE DEADLINE TO FILE
THE JOINT PRE-TRIAL ORDER

Plaintiff, Federal Deposit Insurance Corporation as Receiver of Washington Mutual Bank (“FDIC-R”) and Defendant, Nevada Title Company (“Nevada Title”) (collectively the “Parties”), by and through their respective counsel, hereby file this Stipulation and Order to: (1) Continue the Mandatory Settlement Conference; and (2) Continue the Deadline to File the Joint Pre-Trial Order. This request complies with Local Rules (“LR”) 6-1, 6-2, 7-1, and 26-4, and is based on good cause because the litigation of this matter will be best served by the proposed extensions.

A. INTRODUCTION

This case arises out of Nevada Title’s closing of a real estate transaction that was funded, in part, by a loan issued by Washington Mutual Bank. The real estate transaction was subsequently determined to have been a fraud perpetrated by the seller, buyer, and others involved in the transaction. FDIC-R contends Nevada Title failed to comply with the Washington Mutual Bank’s Closing Instructions, which allegedly caused it to sustain damages when the buyer defaulted on the

1 loan. On March 30, 2017, the Court denied the Parties' respective motions for summary judgment
2 and ordered a settlement conference. (ECF No. 51). On April 3, 2017, Magistrate Judge Foley
3 scheduled the settlement conference for April 27, 2017 at 9:00 a.m. (ECF No. 53). Unfortunately,
4 the Parties are not available on April 27, 2017 and respectfully request a continuance of the
5 settlement conference to June 27, 2017 at 9:00 a.m. The Parties also respectfully request an
6 extension to submit the Joint Pretrial Order, which is currently due on May 1, 2017 in order to
7 conserve resources and prepare for the settlement conference. Accordingly, the Parties hereby
8 stipulate and request that the deadline to file the Joint Pretrial Order be continued to sixty (60) days
9 after the proposed June 27, 2017 settlement conference to August 28, 2017.

10 **B. CURRENT SCHEDULE**

11 Discovery is closed. The Joint Pretrial Order is due on or before May 1, 2017.

12 **C. PROPOSED SCHEDULE**

13 The Parties propose extending the deadline for filing the Joint Pretrial Order to August 28,
14 2017.

15 All other deadlines shall remain in effect.

16 **D. DISCOVERY COMPLETED BY THE PARTIES**

17 Discovery is closed.

18 **E. DISCOVERY REMAINING TO BE COMPLETED**

19 None.

20 **F. STATEMENT OF GOOD CAUSE SUPPORTING THIS REQUEST**

21 Good cause exists for extending the above-referenced deadline. The Court has ordered the
22 Parties to participate in a settlement conference, currently set for April 27, 2017. Due to
23 unavoidable scheduling conflicts, the Parties are unavailable to participate in the settlement
24 conference on April 27, 2017 and respectfully request a continuance of the settlement conference to
25 June 27, 2017 at which time the Parties will attend and participate in the settlement conference in
26 good faith. Furthermore, in light of the pending settlement conference, the parties believe this
27 litigation will be best served by continuing the deadline to file the Joint Pretrial Order from its
28 current deadline of May 1, 2017 to August 28, 2017, which is sixty (60) days after the proposed June

1 27, 2017 settlement conference. Accordingly, the parties submit that good cause exists for this
2 stipulation and proposed order.

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4 DATED this 12th day of April, 2017

DATED this 12th day of April, 2017

5 **WILSON, ELSE, MOSKOWITZ, EDELMAN**
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19 **ORDER**

20 **GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:** (1) that the settlement conference,
21 currently scheduled for April 27, 2017, shall be continued to June 27, 2017 at 9:00 a.m.; and (2) that
22 the deadline for the Parties to file the Joint Pretrial Order, currently set for May 1, 2017, shall be
23 continued to August 28, 2017.

24 Dated this _13th day of April, 2017

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27 UNITED STATES MAGISTRATE JUDGE
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